

EXAMINER COMMENT

1. A request for continued examination under 37 CFR 1.114 was filed in this application after a decision by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 11/16/2009 has been entered.

Response to Arguments

2. Applicant's amendments and accompanying arguments, see pp. 12-13, filed 11/16/2009, with respect to the rejection of claims 1-29 under 35 U.S.C. § 103(a) have been fully considered and are persuasive. Accordingly, that rejection has been withdrawn.

Allowable Subject Matter

3. Claims 1-29 are allowed.

4. The Examiner would like to note that the limitation "providing one or more samples of the rendered first or second frames for the render job to the client prior to completion of rendering the first or second frame by the first and second servers",

present in claim 1, has been interpreted to mean that "a sample of a rendered frame [is] provided to the client from one render server prior to completion of a rendered frame from another render server.", in accordance with the Board's interpretation of the claim (Appeal No. 2009-000450, 5), and Applicant's arguments in support of that interpretation (App. Br. filed 10/24/2007, 10).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON STRANGE whose telephone number is (571)272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Application/Control Number: 09/609,046
Art Unit: 2448

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